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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,970	02/13/2002	Steve Brandt	CS20456RL	6905

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EXAMINER

WEST, LEWIS G

ART UNIT PAPER NUMBER

2682

DATE MAILED: 01/14/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/074,970

Applicant(s)

BRANDT ET AL.

Examiner

Lewis G. West

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Response to Arguments***

1. Applicant's arguments filed October 24, 2003 have been fully considered but they are not persuasive. Applicant's arguments are directed toward a section of the Neufeld reference that is an introductory paragraph that does state that other processes occur during the RF power period, which is in contrast to applicant's arguments, and further this section is not relied upon by the examiner. Neufeld does disclose searching, which involves measurement of signal strength, during the active RF period as well as reselection. The rejection is maintained and made final.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Neufeld (US 6,278,703).

Regarding claim 1, Neufeld discloses a method in a mobile wireless communication device, comprising: receiving present paging information; performing present signal measurements while receiving the present paging information; performing present reselection processing on prior signal measurements while performing present signal measurements. (Col. 7 line 23-col. 8 line 40)

Regarding claim 2, Neufeld discloses the method of Claim 1, performing the prior signal measurements while receiving prior paging information before receiving present paging information. (Col. 7 line 23-col. 8 line 40)

Regarding claim 3, Neufeld discloses the method of Claim 1, reducing power consumption by performing the present reselection processing on the prior signal measurements while receiving the present paging information, performing the prior signal measurements while receiving prior paging information before receiving the present paging information. (Col. 3 line 29-57)

Regarding claim 4, Neufeld discloses the method of Claim 1, reducing power consumption by performing the present reselection processing, based upon the prior signal measurements, and receiving the present paging information in a substantially overlapping time period. (Col. 3 lines 29-57)

Regarding claim 5, Neufeld discloses the method of Claim 1, entering a minimal power consumption mode while not receiving paging information and not performing signal measurements and not performing reselection processing. (Col. 7 line 23-col. 8 line 40)

Regarding claim 6, Neufeld discloses the method of Claim 5, maximizing minimal power consumption mode operation by performing the reselection processing while substantially concurrently receiving the paging information. (Col. 3 line 29-57)

Regarding claim 7, Neufeld discloses the method of Claim 1, receiving present paging information, performing present signal measurements, and performing reselection processing while operating the wireless communication device in idle mode. (Col. 3 line 29-57)

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Regarding claim 8, Neufeld discloses a method in a mobile wireless communication device that receives paging information and performs neighbor signal measurements, comprising: receiving present paging information; performing present signal measurements while receiving the present paging information; performing reselection processing while receiving present paging information; reducing power consumption by performing the reselection processing on prior signal measurements performed while receiving prior paging information. (Col. 7 line 23-col. 8 line 40)

Regarding claim 9, Neufeld discloses the method of Claim 8, entering a minimal power consumption mode when not receiving paging information and not performing signal measurements and not performing reselection processing. (Col. 7 line 23-col. 8 line 40)

Regarding claim 10, Neufeld discloses the method of Claim 8, maximizing minimal power consumption mode operation by performing the reselection processing while substantially concurrently receiving the paging information. (Col. 3 line 29-57)

Regarding claim 11, Neufeld discloses the method of Claim 8, receiving present paging information, performing present signal measurements, and performing reselection processing while operating the wireless communication device in idle mode. (Col. 7 line 23-col. 8 line 40)

Regarding claim 12, Neufeld discloses a method in a wireless communication device, comprising: receiving periodic paging information; performing periodic signal measurements; performing periodic reselection processing; reducing power consumption by receiving at least a portion of the periodic paging information concurrently with performing at least a portion of the periodic signal measurements and performing at least a portion of the periodic reselection processing. (Col. 7 line 23-col. 8 line 40)

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Regarding claim 13, Neufeld discloses the method of Claim 12, performing present reselection processing on prior signal measurements while performing present signal measurements. (Col. 3 line 29-57)

Regarding claim 14, Neufeld discloses the method of Claim 12, operating in a minimal power consumption mode when not receiving periodic paging information and not performing periodic signal measurements and not performing periodic reselection processing. (Col. 7 line 23-col. 8 line 40)

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neufeld in view of Wang (US 6,480,504).

Regarding claim 15, Neufeld discloses a method in a wireless communication device that receives periodic paging blocks and performs periodic neighbor signal measurements, comprising: receiving a present paging block; performing present neighbor cell signal strength measurements while receiving the present paging block; performing reselection processing for prior neighbor cell signal strength measurements while receiving the present paging block and performing the present neighbor cell signal strength measurements. (Col. 7 line 23-col. 8 line 40)  
Neufeld discloses the method in a digital wireless telecommunications system, but not expressly

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discloses TDMA. Wang discloses a power saving reselection method in a TDMA system (col. 3 lines 52-67). It would have therefore been obvious to use the method of Neufeld in a TDMA system, as TDMA is a well-known digital communication system and the advantages of power saving apply to all types of telecommunication systems.

Regarding claim 16, the combination of Neufeld and Wang discloses the method of Claim 15, reducing power consumption by operating in a minimal power consumption mode when not receiving periodic paging blocks and not performing periodic neighbor cell signal strength measurements and not performing reselection processing. (Col. 7 line 23-col. 8 line 40)

Regarding claim 17, the combination of Neufeld and Wang discloses the method of Claim 15, reducing power consumption by receiving at least a portion of the periodic paging blocks, performing at least a portion of the periodic neighbor cell signal strength measurements, and performing at least a portion of the reselection processing concurrently. (Col. 3 line 29-57)

Regarding claim 18, Neufeld discloses a method in a WCDMA wireless communication device that receives periodic paging indicator channel blocks and performs periodic reselection processing, comprising: receiving a present paging indicator channel block; performing present signal measurements while receiving the present paging indicator channel block; performing reselection processing for prior signal measurements while receiving the present paging indicator channel block and performing the present signal measurements. (Col. 7 line 23-col. 8 line 40)

Neufeld discloses the method in a digital wireless telecommunications system, but not expressly discloses WCDMA. Wang discloses a power saving reselection method in a WCDMA system (col. 3 lines 52-67; col. 2 lines 5-32). It would have therefore been obvious to use the method of

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Neufeld in a WCDMA system, as WCDMA is a well-known digital communication system and the advantages of power saving apply to all types of telecommunication systems.

Regarding claim 19, the combination of Neufeld and Wang discloses the method of Claim 18, reducing power consumption by operating in a minimal power consumption mode when not receiving periodic paging indicator blocks and when not performing periodic signal measurements and not performing reselection processing. (Col. 7 line 23-col. 8 line 40)

Regarding claim 20, the combination of Neufeld and Wang discloses the method of Claim 18, performing signal measurements between receiving periodic paging indicator blocks when the period between the periodic paging indicator blocks is greater than a predetermined period. (Col. 7 line 23-col. 8 line 40)

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 703-308-9298. The examiner can normally be reached on Monday-Thursday 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.



Lewis West  
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January 7, 2003



VIVIAN CHIN  
SUPERVISORY PATENT EXAMINER  
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1/12/04